

Amendment No. 1 to SB1895

Bell
Signature of Sponsor

AMEND Senate Bill No. 1895

House Bill No. 1634*

by adding the following language immediately preceding the effective date section and by renumbering the effective date section accordingly:

SECTION __. Tennessee Code Annotated, Section 7-86-302, is amended by deleting the section in its entirety and by substituting instead the following:

7-86-302.

(a) There is created in the department of commerce and insurance an emergency communications board, referred to in this part as “the board”, for the purpose of assisting emergency communications district boards of directors in the area of management, operations, and accountability, and establishing emergency communications for all citizens of the state. The board shall, upon being constituted, exercise its powers and duties in accordance with the provisions of this part, relative to all emergency communications districts established pursuant to this chapter or by any public or private act.

(b) The entire membership of the board as comprised on June 30, 2015, shall be vacated on July 1, 2015, and new members shall be appointed in accordance with subsection (c).

(c)

(1) The board shall be composed of nine (9) members as follows:

(A) The comptroller of the treasury or the comptroller's designee. The appointment of the comptroller's designee to the board shall be for the term of office of the comptroller;

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(B) One (1) member, appointed by the governor, who has no connection to emergency communications districts and who does not fulfill any other requirements for appointment to the board;

(C) One (1) representative of county government, appointed by the speaker of the senate;

(D) One (1) representative of city government, appointed by the speaker of the house of representatives;

(E) Three (3) members, appointed by the governor, each of whom shall be either a current director of an emergency communications district or a current member of an emergency communications district board of directors at the time of their appointment. The members appointed pursuant to this subdivision shall each reside in a separate grand division of the state;

(F) One (1) at large member appointed by the speaker of the senate, who at the time of such member's appointment is either a current director of an emergency communications district or a current member of an emergency communications district board of directors; and

(G) One (1) at large member appointed by the speaker of the house of representatives, who at the time of such member's appointment is either a current director of an emergency communications district or a current member of an emergency communications district board of directors.

(2) No more than one (1) member appointed pursuant to subdivisions (c)(1)(E)-(G) shall be from the same county.

(3) In appointing members to the board, the appointing authorities shall strive to ensure that the composition of the board represents:

(A) The diversity of persons in Tennessee by considering race, gender, age, and geographical and political interests; and

(B) Emergency communication districts in urban and rural areas of the state.

(d) In order to stagger the terms of the newly appointed board members, initial appointments shall be made as follows:

(1) The members appointed in accordance with subdivisions (c)(1)(B)-(D) shall serve initial terms of one (1) year, which shall expire on June 30, 2016;

(2) The members appointed in accordance with subdivision (c)(1)(E) shall serve initial terms of two (2) years, which shall expire on June 30, 2017; and

(3) The members appointed in accordance with subdivisions (c)(1)(F) and (G) shall serve initial terms of three (3) years, which shall expire on June 30, 2018.

(e) Following the expiration of members' initial terms as prescribed in subsection (d), all three-year terms shall begin on July 1 and terminate on June 30, three (3) years thereafter.

(f) Members shall be selected to serve on the board for no more than two (2) successive terms, and shall not be eligible for appointment thereafter.

(g) The board shall elect a chair and such other officers as it may deem necessary and appropriate. Such officers shall be elected for two-year terms.

(h) The board shall meet at least quarterly, and at the call of the chair.

(i) A quorum shall consist of five (5) or more members; and all official action of the board shall require a quorum.

(j) The position of any member shall become vacant when such member misses, without cause, three (3) meetings within any twelve-month period.

(k) All meetings of the board shall be subject to the open meeting provisions of title 8, chapter 44, and the public records provisions of title 10, chapter 7.

(l) The executive director shall compile a report of the board's expenditures by item and revenue by source for the quarter prior to each board meeting, with the most recent report to be posted and prominently displayed on the board's web site each quarter.

SECTION __. Tennessee Code Annotated, Section 7-86-306, is amended by deleting subdivision (a)(3) and substituting instead the following:

(3) Subject to title 9, chapter 4, part 51, appoint and fix the salaries and duties of such experts, agents, and employees, and set the qualifications for such persons as it deems necessary;

SECTION __. Tennessee Code Annotated, Section 7-86-306, is further amended by adding the following language immediately preceding subdivision (a)(4) and by renumbering the subsequent subdivisions accordingly:

(4)

(A) Appoint an executive director, who shall be a person of good moral character and shall be professionally qualified to administer, manage and direct the affairs and business of the board, which include, but are not limited to:

(i) Maintaining and securing all essential records and files;

(ii) Implementing board policies and procedures;

(iii) Informing the board as to state statutes, policies and procedures; and

(iv) Any other matters delegated by the board.

(B) For the purposes of 8-30-201 and 8-30-202, the executive director of the board shall be considered the equivalent of an assistant commissioner.

(C) Before assuming any official duties, the executive director shall take and subscribe to the oath of office and shall execute a bond in the manner prescribed by title 8, chapter 19. The provisions of this subdivision (C) shall not apply to the executive director serving on the effective date of this act.

AND FURTHER AMEND by deleting the effective date section and substituting instead the following:

SECTION __. Sections 1 and 2 of this act shall take effect upon becoming a law, the public welfare requiring it. All other sections of this act shall take effect July 1, 2015, the public welfare requiring it.